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**OFFICE OF PETITIONS**

In re Patent No. 7,064,102  
Issue Date: June 20, 2006  
Application No. 10/510,024  
Filed: October 1, 2004  
Attorney Docket No. 3968.123

: DECISION ON PETITION

This is a decision on the petition filed March 26, 2007, which is being treated under 37 CFR 1.181 (no fee), requesting issuance of a duplicate Letters Patent for the above-identified patent.

The petition is **GRANTED**.

Petitioner states that the original Letters Patent was never received.

The required showing to establish nonreceipt of an Office communication must include a statement from the practitioner stating that the Office communication (in this case, the original Letters Patent) was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Letters Patent was not received. A copy of the docket record where the nonreceived Letters Patent would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. *See MPEP § 711.03(c) and 1156 Official Gazette 53* (November 16, 1993).

The petition is accompanied by the evidence required to establish nonreceipt of the original Letters patent. Accordingly, Publishing Division is directed to issue a duplicate Letters Patent.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. Inquiries regarding the issuance of a duplicate Letters Patent may be directed to Krystal Paige in the Publishing Division at (703) 308-9250, Ext. 139.

A copy of this decision is being faxed to Publishing Division for issuance of a duplicate Letters Patent.

*Sherry D. Brinkley*

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions

cc: Krystal Paige, South Tower, 8<sup>th</sup> Floor (Fax No. (571) 270-9937